

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD WILLIAMS, et al.,

Plaintiff(s),

vs.

NATIONAL DEFAULT SERVICING
 CORPORATION, et al.,

Defendant(s).

Case No. 2:16-cv-01860-GMN-NJK

ORDER

(Docket No. 21)

Pending before the Court is Plaintiffs' motion for entry of default judgment. Docket No. 21. Defendant Duke Partners, LLC filed a response in opposition, and Plaintiffs filed a reply. Docket Nos. 26, 30. Plaintiffs are litigating this matter *pro se*, and the Court construes their filings liberally. *See, e.g., Berhardt v. Los Angeles County*, 339 F.3d 920, 925 (9th Cir. 2003). Obtaining a default judgment is a two-step process, by which the movant must first obtain default. *See, e.g., Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986); Fed. R. Civ. P. 55. The Court **CONSTRUES** Plaintiffs' motion as seeking entry of default.¹ Default may be entered when a party has failed to plead or otherwise defend. Fed. R. Civ. P. 55(a). In this case, Defendant Duke Partners, LLC has filed two motions to dismiss and a motion to remand. Docket Nos. 14, 19, 22.

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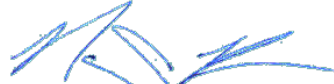
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¹ To the extent Plaintiffs intended their motion to seek relief other than default or default judgment, the motion is **DENIED** without prejudice.

1 Based on the circumstances, the motion for default will be **DENIED**.

2 IT IS SO ORDERED.

3 DATED: October 4, 2016

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NANCY J. KOPPE
United States Magistrate Judge